GOVERNMENT OF ANDHRAPRADESH
ABSTRACT

Public Services – Agriculture & Cooperation Department – Sri K.N.Manohar, Assistant Registrar(Retd.) – Disciplinary action initiated on the irregularities committed in executing the E.P.No.41/2013-14 and disposal of DKT Land in Survey No.667/1 extent of 5.44 acres in Surappakasam Village, Renigunta Primary Agricultural Cooperative Society - Sanction under Rule 9 of the Andhra Pradesh Revised Pension Rules, 1980 - Article of Charges - Issued.

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AGRICULTURE AND COOPERATION (VIG.II) DEPARTMENT

G.O.Rt.No.161 Dated:20.02.2019

Read:-

G.O.Ms.No.23, Agriculture & Cooperation (Vig.II) Department, dated:13.02.2019.

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ORDER:

In pursuance of the sanction accorded by the Government, under sub-clause (i) of clause (b) of sub-Rule (2) of Rule 9 of the Andhra Pradesh Revised Pension Rules, 1980 for instituting departmental proceedings against Sri K.N.Manohar, Assistant Registrar (Retd.) vide reference read above, it is proposed to hold an inquiry against the said Sri K.N.Manohar, Assistant Registrar(Retd.) in accordance with the procedure laid down in rule 20 of Andhra Pradesh Civil Services(Classification, Control and Appeal) Rules, 1991.

2. The substance of the imputation of misconduct or misbehavior in respect of which the Inquiry is proposed to be held is set out in the enclosed statement of Article of Charge (Annexure-I). A list of documents by which, and a list of witnesses by whom, the Articles of Charge is proposed to be sustained are also enclosed (Annexure-II & III).

4. Sri K.N.Manohar, Assistant Registrar(Retd.) is directed to appear before the Disciplinary Authority within (10) days of the receipt of this order and submit his written statement of defence and to state whether he desires to be heard in person.

5. Sri K.N.Manohar, Assistant Registrar (Retd.) is further informed that, if he does not appear before the Disciplinary Authority and submit his written statement of defence within (10) days as specified in para (3) above, Further action will be processed based on the material available.

6. The attention of Sri K.N.Manohar, Assistant Registrar (Retd.) is drawn to Rule 24 of the Andhra Pradesh Civil Service (Conduct) Rules, 1964 under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt with in these proceedings, it will be presumed that the said, of Sri K.N.Manohar, Assistant Registrar(Retd.) is aware of such a representation and that, it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Service (Conduct) Rules, 1964.

P.T.O..

8. The receipt of this G.O. shall be acknowledged.

(BY THE ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

B.RAJSEKHAR
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri K.N.Manohar, Assistant Registrar(Retd.) (through the Special Commissioner for Cooperation & Registrar of Cooperative Societies, Andhra Pradesh, Guntur).
Copy to:-
The Special Commissioner for Cooperation & Registrar of Cooperative Societies, Andhra Pradesh, Guntur. (with a request to serve the order on the charged officer and return the served copy with dated ack.).
Sf/Sc.

//FORWARDED :: BY ORDER//

SECTION OFFICER

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ANNEXURE-I

Statement of article of charge framed against Sri K.N.Manohar, Assistant Registrar(retd.):-

The following Article of Charge is framed against Sri K. N. Manohar, Assistant Registrar(Retd.) under Rule 20 of the Andhra Pradesh Civil Services(Classification, Control and Appeal) Rules, 1991.

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ARTICLE OF CHARGE:-

"That Sri K N.Manohar, Assistant Registrar(Retd.) while he was working as Assistant Registrar /OSD (FAC) in District Cooperative Central Bank Limited, Chittoor has Committed irregularities in executing the E.P.No.41/2013-14 by violating the rules prescribed in Andhra Pradesh Civil Services Act, 1964 and disposed off the DKT land in Survey No.667/1 extent of 5.44 acres in Surappakasam Village, Renigunta Primary Agricultural Cooperative Society. Hence, the Charge.

BASIS OF THE CHARGE:-

That the Registrar of Cooperative Societies was ordered an Inspection Under Section 52 of the Andhra Pradesh Civil Services Act, 1964 in to the affairs of the Renigunta Primary Agricultural Cooperative Society vide proceedings Rc.No.5469/2016-Cr2, dated:03.06.2016 and authorising the Deputy Registrar/Administrative Officer, O/o the District Cooperative Officer, Chittoor as Inspection Officer. The DR/AO/Inspection Officer had conducted the Inspection and submitted his report on 20.06.2016. The inspecting Officer in his inspection report has informed that the land in Servey.No.667/1 Ext.Ac 5.44 cents of Surappakasam village of Renigunta mandal in Chittoor District was assigned by the revenue authorities in favour of one Sri Govinda Swamy vide DKT No.589/4/77. The assignee U. Govinda swamy is the member of Renigunta PACS and he died on 12.11.2005 and a loan of Rs.10,000/- was sanctioned to him on 31.10.2006. After the death of Assignee the loan with due of Rs. 10,240/- was transferred/renewed with same loan No. on the name of Sri G. Sasikiran, (Grandson of Sri Govinda Swamy the deceased) S/o G. Bhaskar, Renigunta Village on 23.02.2007, without obtaining any authenticated legal heir certificate and other documents. Further, there is no proper resolution for sanction of loan and for its transfer in the name of Sri Sasikiran. The transfer of loan was done without obtaining any authenticated legal heir certificate/ legal documents. Sri G. Sasikiran was defaulted to pay the ban after a long time with malafied intention to convert the DKT land into general one to get benefit of lakhs of rupees on conversion, the said loan was recommended for legal action vide board resolution dated:02.05.2014 by leaving all other ST and LT OD loans and immediately E.P.No.41/2013-14 admitted on 27.05.2014 and sale was conducted on 26.06.2014 without any publicity and Sri K.N. Manohar Asst. Registrar/OSD, District Cooperative Central Bank Limited, Chittoor has confirmed that sale and issued sale certificate Under Section 71 of the Andhra Pradesh Civil Services Act for recovery of Rs.17,375/- with further interest.

2. The Sub Collector, Tirupathi has issued Show Cause notice to Sri K.N. Manohar, Assistant Registrar /OSD, Chittoor District Cooperative Central Bank Limited, Chittoor vide ROCJ/1800/2015, dated:05.05.2016 as he has committed blatant irregularity which led loss of Government property worth lakhs of rupees and the District Collector, Chittoor has recommended that to

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place Sri K.N. Manohar, Assistant Registrar under suspension and cancel the sale.

3. Sri K.N.anohar, Asstistant Registrar being a responsible Govt. servant working as OSD (FAC), in District Cooperative Central Bank Limited, Chittoor, has to exercise the duties of OSD and see that all the E.Ps are properly executed strictly as per Rule 52 of the Andhra Pradesh Civil Services Act 1964. He has a duty to follow the statutory norms while issuing Form No.2, Form No.6, Form No.7, Form No.8, Form No.9, and Form No.10 relating to execution of Executive petitions. And while confirming the sale and issue of sale certificates he is bound to observe minutely all the statutory provisions of Cooperative Societies the Act & Rules of 1964. But Sri K.N. Manohar, Assistant Registrar has failed to verify the particulars of sanction of loan and other documents and without following the due procedure prescribed in the Andhra Pradesh Civil Services Act, 1964 for issue of the certificate Under Section 71 of the APCS Act for recovery of Rs.17,375/- with further interest and issued Section 71 certificate irregularly, The applicant being Officer on Special Duty would suppose to issue certificate Under Section 71 with due diligence as the same shall be deemed to be a decree of the Civil Court. In the instant case application Under Section 71 was entertained without obtaining any authenticated legal heir certificate from the society and issued certificate in the name of Sri G. Sasikiran who is said to be legal heir of Sri U. Govindaswamy original borrower. Further it has been noticed by the Inspection Officer that only one OD ST loan of Sri G. Sasikiran was forwarded for legal action leaving large No. of ST & LT OD loans without legal coverage in Renigunta Primary Agricultural Cooperative Society. Thus it clearly shows that Sri K.N. Manohar, Assistant Registrar has intentionally and willfully violated the provisions of the Act and Rules. Hence, the charge.

ANNEXURE-II

List of documents by which the article of Charge framed against Sri K.N.Manohar, Assistant Registrar(Retd.), are proposed to be sustained.

1. Show Cause Notice ROCJ/180082015, dated:05.05.2016 issued by the Sub Collector, Tirupathi.
2. Note Orders of District Collector, Chittoor.
3. Lr.Rc.No.1212/2016-A1,date:31.05.2016 & 15.06.2016 of the DCO, Chittoor.
4. Inspection report Lr.Rc.No.1214/2016-A1, dated:20.06.2016 of the DR/AO, O/o the DCO, Chittoor.

ANNEXURE-III

List of witness by whom the Article of Charge framed against Sri K.N.Manohar, Assistant Registrar (Retd.), are proposed to be sustained.

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B.RAJSEKHAR
PRINCIPAL SECRETARY TO GOVERNMENT

//FORWARDED :: BY ORDER//

SECTION OFFICER